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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

UNITED STATES OF AMERICA,

Case No. 6:12-cv-02007-TC

Plaintiff,

v.

**THE WESTERN STATES LAND
RELIANCE TRUST,**

Defendant.

**DECLARATION OF
DANICA ANDERSON GLASER IN
SUPPORT OF UNITED STATES'
APPLICATION FOR ENTRY OF
DEFAULT JUDGMENT**

I, Danica Anderson Glaser, pursuant to 28 U.S.C. § 1746, hereby declare and state the following:

1. I am employed as a Trial Attorney for the Environment and Natural Resources Division of the United States Department of Justice. I have been assigned to represent the United States in this case. I have custody of, and access to, the Department of Justice's litigation files for this case, which are in my office in Washington, D.C.
2. On November 8, 2012, I filed a Complaint in this action on behalf of the United States through the District of Oregon's CM/ECF Filing System.
3. On November 13, 2012, I sent by Federal Express overnight mail a completed "Notice of a Lawsuit and a Request to Waive Service of a Summons," with a copy of the Complaint, to Daniel J. Desler, as registered agent and trustee of the Western States Land Reliance Trust. The notice package was mailed to Mr. Desler care of Craig E. Weinerman, Mr. Desler's public defender. I also e-mailed courtesy copies of the same notice package to Mr. Weinerman, Thomas Martin, and Mike Sullivan. True and complete copies of the notice package, proof of delivery, and the e-mails to Messrs. Weinerman, Martin, and Sullivan are attached hereto as **Exhibit A**, except that I have redacted the recipients' email addresses.
4. On February 1, 2013, I received an e-mail from Deputy U.S. Marshal Luis Byerly informing me that Mr. Desler had been served in person with a Summons and copy of the Complaint in this action, at an address provided by his probation officer.
5. On March 19, 2013, I filed an Application for Entry of Default in this action on behalf of the United States through the District of Oregon's CM/ECF Filing System. That same day, I sent by first class mail a copy of the filing, with a cover letter, to Mr.

Desler at the address provided by his probation officer.

6. On April 2, 2013, I received a letter by U.S. mail from Mr. Desler, consisting of an e-mail that had been printed out. That same day, I learned that an identical letter had been sent to Assistant U.S. Attorney Neil Evans at the U.S. Attorney's Office in Portland, Oregon. It appears that Mr. Desler had attempted to send the e-mail to Mr. Evans and me but, because the e-mail addresses contained errors, the e-mail was not delivered and Mr. Desler sent copies by mail instead. A true and complete copy of the letter and envelope I received is attached hereto as **Exhibit B**, except that I have redacted Mr. Desler's e-mail address and mailing address.
7. On May 21, 2013, I accessed the Business Name Search website for the Oregon Secretary of State, Corporation Division. The website's URL is http://egov.sos.state.or.us/br/pkg_web_name_srch_inq.login. I searched for the name "Western States Land Reliance." There was one result returned under the name "Western States Land Reliance Trust." I accessed the website's information for that company and saved the information. A true and complete copy of the information returned by the website is attached hereto as **Exhibit C**.
8. On November 1, 2012, an e-mail was forwarded to me by Wendy Watson, an attorney at the United States Environmental Protection Agency ("EPA"). The e-mail was from Thomas J. Martin to Ms. Watson, with "Dan Desler" and "Mike Sulliva" in the "CC" field. In the e-mail, Mr. Martin stated that "[T]he trustees voted not to agree to a tolling agreement with the EPA, yesterday" and was signed:

Thomas J. Martin, trustee
WSLRT

A true and complete copy of the e-mail from Ms. Watson is attached hereto as

Exhibit D, except that I have redacted e-mail addresses for Mr. Martin, Mr. Desler, and Mr. Sullivan.

9. In March and April of 2013, respectively, Mr. Martin and Mr. Sullivan represented to EPA that they had resigned as trustees of the Trust. To the best of my knowledge, Mr. Martin and Mr. Sullivan's resignations occurred after the filing of this lawsuit and after notice of the lawsuit was provided to Messrs. Desler, Martin, and Sullivan.
10. I have no knowledge that Mr. Desler ever resigned or otherwise left his position as trustee.

I declare under penalty of perjury that, to the best of my knowledge, the foregoing is true.

Respectfully submitted this 24th day of May, 2013.

/s/ Danica Anderson Glaser

DANICA ANDERSON GLASER

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CERTIFICATE OF SERVICE

This is to certify that on the 24th day of May, 2013, a true and correct copy of the foregoing Declaration and attached Exhibits was mailed by First Class Mail, postage pre-paid, to the following Defendant who has not yet entered an appearance at the address listed on the following Service List.

Western States Land Reliance Trust
c/o Daniel J. Desler, Registered Agent
1096 N Street
Springfield, Oregon 97477

/s/ Danica Anderson Glaser
DANICA ANDERSON GLASER